

## **ADMINISTRATIVE PANEL DECISION**

TBO Tek Limited v. daria ritova

Case No. D2025-2125

### **1. The Parties**

The Complainant is TBO Tek Limited, India, represented by Chadha & Chadha, Advocates, India.

The Respondent is daria ritova, United States of America ("United States").

### **2. The Domain Name and Registrar**

The disputed domain name <travellboutiqueonline.org> is registered with Dynadot Inc (the "Registrar").

### **3. Procedural History**

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on May 29, 2025. On May 30, 2025, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On June 1, 2025, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (REDACTED FOR PRIVACY, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on June 2, 2025, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on June 9, 2025.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on June 10, 2025. In accordance with the Rules, paragraph 5, the due date for Response was June 30, 2025. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on July 1, 2025.

The Center appointed Andrew F. Christie as the sole panelist in this matter on July 7, 2025. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

#### **4. Factual Background**

The Complainant was established as a private company in India in 2006 under the name Tek Travels Private Limited. In 2021, the Complainant converted from a private company into a public company and changed its name to TBO Tek Limited, under which it currently operates. The Complainant offers a comprehensive range of travel solutions, including air travel, hotels, rail, holiday packages, car rentals, transfers, sightseeing, cruise, and cargo. It has a large network and connects over 147,000 travel agents with over 1 million suppliers across 100+ countries globally. For the financial year 2019-2020, the Complainant had revenue of just over INR 3 billion. It renders its services through a website hosted on its domain name <travelboutiqueonline.com>, which it registered on April 18, 2006.

The Complainant owns three trademark registrations in India for device marks consisting of the words TRAVELBOUTIQUEONLINE and the image of a paper airplane, all with the application date of August 5, 2008: Indian Trademark No. 1717882 (certificate issued February 11, 2011); Indian Trademark No. 1717883 (certificate issued June 28, 2013), and Indian Trademark No. 1717884 (certificate issued July 1, 2013).

The disputed domain name was registered on November 21, 2024. The Complainant provided screenshots dated January 31, 2025, showing the disputed domain name resolved to a website advertising interior design services under the names “Artistic Visions” and “Artistic Visions Travellboutiqueonline”.

As at the date of this decision, the disputed domain name does not resolve.

#### **5. Parties’ Contentions**

##### **A. Complainant**

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

The Complainant contends that the disputed domain name is identical or confusingly similar to a trademark in which it has rights on the following grounds. The disputed domain name is nearly identical with the Complainant’s said trademark except for an additional letter “l” in the disputed domain name.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name on the following grounds, among others. The Complainant has been exclusively and extensively using the mark TRAVELBOUTIQUEONLINE and its variants since at least 2006, without any interruption or interference from any third party. There can be no justification for any third-party including the Respondent to use the term “travelboutiqueonline” or any deceptively similar term as part of a domain name or claim or assert any right, title or interest thereto. The registration of the disputed domain is clearly an attempt to misappropriate the goodwill and reputation accrued in favor of the Complainant under its trademark and domain name. The sole intention of the Respondent behind the registration of the disputed domain name is to defraud the members of the public and to induce them into believing that the disputed domain name belongs to the Complainant or that the Respondent has some connection with the Complainant. The disputed domain name has been registered to make illegal profits by misleading the innocent customers. The Respondent has no legitimate interest in the disputed domain name and has registered the same only to derive undue benefit by attracting internet traffic to their website.

The Complainant contends that the Respondent has registered and is using the disputed domain name in bad faith on the following grounds, among others. There exists no plausible explanation for the Respondent's adoption of a domain name that is nearly identical to that of the Complainant, other than the intent to deceive the public, exploit the goodwill painstakingly built by the Complainant, and unjustly benefit from such deception. The Respondent, by its own representation on its website, asserts that it is engaged in the business of interior designing and has no association whatsoever with travel or any travel-related services. The Respondent does not operate a bona fide business through the disputed domain name. The purported office address provided on the impugned website is fictitious and, upon basic verification, is found to correspond to the address of the fictional character Sherlock Holmes and there exists a Sherlock Holmes Museum operating at the said location. Consequently, the use of the term "travellboutique" as part of the disputed domain name is clearly in bad faith and has been deliberately adopted to mislead and divert the potential customers of the Complainant to the Respondent's website.

## **B. Respondent**

The Respondent did not reply to the Complainant's contentions.

## **6. Discussion and Findings**

### **A. Identical or Confusingly Similar**

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. It is the owner of a number of trademark registrations for a device trademark consisting of the words TRAVEL BOUTIQUE ONLINE and the image of a paper airplane.

The entirety of the word component of the Complainant's trademark is reproduced within the disputed domain name, with the letter "l" added to the first letter "I". The Panel finds the Complainant's mark is recognizable within the disputed domain name, and that the additional letter does not prevent a finding of confusing similarity between the disputed domain name and the trademark for the purposes of the Policy.

Accordingly, the disputed domain name is confusingly similar to the Complainant's trademark for the purposes of the Policy.

The Panel finds the first element of the Policy has been established.

### **B. Rights or Legitimate Interests**

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.0](#), section 2.1.

The composition of the disputed domain name, being almost identical to the word component of the Complainant's trademark, carries a risk of implied affiliation with the Complainant. The evidence establishes that the Respondent has used the disputed domain name to resolve to a website which advertises interior design services under the names "Artistic Visions" and "Artistic Visions Travellboutiqueonline". Although the phrase "Travellboutiqueonline" appears often on the website, none of the website's content concerns travel. There is no semantic connection between the phrase "Travellboutiqueonline" and the services that the Respondent purports to offer at the website to which the disputed domain name resolves. Furthermore, the

address provided on the website as being the Respondent's office address is in fact the address of the Sherlock Holmes Museum, with which the Respondent has no obvious connection. It is clear that the Respondent's use of the disputed domain name is not in connection with a bona fide offering of goods or services.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Panel finds the second element of the Policy has been established.

### **C. Registered and Used in Bad Faith**

The string "travell" is not a recognized word in English, which is the language of the content on the Respondent's website. It seems clear, therefore, that the disputed domain name is an intentional misspelling of the phrase "travel boutique online", which is the word component of the Complainant's trademark. The Respondent registered the disputed domain name nearly two decades after the first use, and more than a decade after the first registration, of the Complainant's TRAVELBOUTIQUEONLINE trademark. In the absence of any evidence or even argument to the contrary from the Respondent, the Panel is inclined to the view that the reason for the Respondent's registration of the disputed domain name is its confusing similarity to the Complainant's trademark. On the balance of probabilities, the Panel is satisfied that the Respondent registered the disputed domain name for the purpose of causing confusion with the Complainant's trademark.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration or use of a domain name is in bad faith. The evidence shows, on balance, that the Respondent has used the disputed domain name in an intentional attempt to attract, for commercial gain, Internet users to a website by creating a likelihood of confusion with the Complainant's trademark.

Having reviewed the record, the Panel finds that the Respondent's registration and the Respondent's use of the disputed domain name were in bad faith.

The Panel finds that the Complainant has established the third element of the Policy.

### **7. Decision**

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <travellboutiqueonline.org> be transferred to the Complainant.

*/Andrew F. Christie/*

**Andrew F. Christie**

Sole Panelist

Date: July 21, 2025